

Message Text

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ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 DHA-02 IO-13 AID-05 TRSE-00 /075 W
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R 170516Z JUN 77
FM AMEMBASSY JAKARTA
TO SECSTATE WASHDC 1825
INFO AMEMBASSY BANGKOK
AMEMBASSY KUALA LUMPUR
AMEMBASSY MANILA
AMEMBASSY SINGAPORE

C O N F I D E N T I A L SECTION 1 OF 2 JAKARTA 7995

E.O. 11652: GDS
TAGS: SHUM, PINS, PINT, PORG, EAID, EFIN
SUBJECT: HUMAN RIGHTS IN INDONESIA

REF : STATE 124544

1. SUMMARY: INDONESIAN HUMAN RIGHTS PICTURE IS MIXED. CONSIDERABLE FREEDOM EXISTS IN SOCIETY; PROBLEMS ARISE OUT OF REGIME'S FEARS OVER POSSIBLE REVIVAL OF COMMUNIST PARTY OR ISLAMIC MILITANCY, AND CONCERN OVER THREATS OF DISORDER, SECESSION, OR UNCONSTITUTIONAL CHANGE. DIALOGUE WITH INDONESIA IS OPEN BUT OVERLY AGGRESSIVE APPROACH COULD CLOSE DOOR. CURRENT IMMEDIATE PROBLEMS RELATE TO PKI DETAINEES, EAST TIMOR, AND ARRESTS GROWING OUT OF RECENT POLITICAL CHALLENGES. THIS MESSAGE SETS FORTH EMBASSY OBJECTIVES AND POSSIBLE COURSE OF ACTION IN PROMOTING HUMAN RIGHTS. END SUMMARY.

2. THIS EMBASSY HAS TAKEN ACTIVE ROLE UNDER PERSONAL LEADERSHIP OF AMBASSADOR IN ENCOURAGING SATISFACTORY HUMAN RIGHTS IN INDONESIA. ACTIONS BASED ON US LEGISLATIVE CONCERNS
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OVER PAST TWO YEARS PREDATED STRONG CURRENT EMPHASIS BY CARTER ADMINISTRATION. EMBASSY CAN POINT TO SOME DEGREE OF SUCCESS. INDONESIANS ADMIT THAT MORE FORTHCOMING ATTITUDES BASED IN PART ON RECOGNITION OF US VIEWS. IN CASES OF INDIVIDUAL INDONESIANS WHERE CLEAR US INTEREST CAN BE DEMONSTRATED (I.E. AMBASSADOR SOEDJATMOKO), INDONESIANS HAVE REMOVED RESTRICTIONS. THEIR RESPONSE LIKELY TO BE

POSITIVE UNLESS THEY FEEL SECURITY MAY BE THREATENED OR UNLESS WE OFFEND NATIONAL PRIDE BY OVERLY AGGRESSIVE APPROACH. IRONICALLY ONE CAN SEE, AS AT PRESENT, SOMEWHAT LESS OPENNESS TO OUTSIDE PRESSURES, WHILE GOVERNMENT AT SAME TIME MOVING TO RELEASE DETAINEES.

3. INDONESIAN REGIME IS AUTHORITARIAN BUT NEVERTHELESS ALLOWS CONSIDERABLE MEASURE OF FREEDOM TO POPULATION. DIALOGUE DOES EXIST BETWEEN GOVERNMENT AND GOVERNED. DESPITE GOVERNMENTAL INEFFICIENCY AND SHORTCOMINGS THERE IS CLEAR COMMITMENT TO BASIC HUMAN NEEDS. THERE IS NO POLICY OF TORTURE. ALTHOUGH SOME DIFFICULTIES CURRENTLY EXIST, INDONESIA HAS PERMITTED VISITS TO DETENTION CENTERS BY ICRC.

4. PRIMARY HUMAN RIGHTS PROBLEMS ARISE WHEN GOVERNMENT CONSIDERS THREAT EXISTS TO CONSTITUTIONAL AUTHORITY, PUBLIC ORDER OR NATIONAL UNITY, PARTICULARLY FROM RESURGENT COMMUNIST OR MILITANT ISLAMIC GROUPS.

5. SPECIFIC PROBLEMS WHICH HAVE COMMANDED OUR ATTENTION ARE:

A. 30,000 DETAINEES FROM 1965 ABORTIVE COMMUNIST COUP. GOVERNMENT HAS PROMISED RELEASE THIS NUMBER BY END 1979 BUT EXACT CIRCUMSTANCES OF RELEASE, PARTICULARLY FROM BURU ISLAND, ARE NOT CLEAR.

B. IN FORMER PORTUGUESE TIMOR, INDONESIANS ARE CONSOLIDATING AUTHORITY AFTER MILITARY INTERVENTION. THERE ARE UNDOUBTEDLY POLITICAL DETAINEES BUT INDONESIA IN GENERAL CONFIDENTIAL

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SEEKING TO BEHAVE IN CORRECT MANNER IN TIMOR. GENERAL AMNESTY FOR MEMBERS OF OPPOSING FORCES STILL IN EFFECT.

C. A TOTAL OF 783 PERSONS HAVE BEEN ARRESTED SINCE JANUARY 1977 ON CHARGES OF INVOLVEMENT IN A RADICAL MOSLEM "HOLY WAR COMMAND" WHICH ALLEGEDLY PLANNED TO UNSEAT THE GOVERNMENT BY UNCONSTITUTIONAL MEANS. KOPKAMTIB CHIEF OF STAFF SUDOMO ANNOUNCED ON JUNE 7 THAT THESE CLEARLY IMPLICATED IN THE KOMANDO JIHAD MOVEMENT WOULD BE TRIED WITHIN TWO TO THREE MONTHS. MOSLEM LEADERS INFORM US THAT MANY OF THOSE ORIGINALLY DETAINED HAVE BEEN RELEASED.

D. THE GOI RECENTLY ANNOUNCED THAT TWO WELL-PUBLICIZED PLOTTERS AGAINST PRESIDENT SUHARTO, SAWITO, WHO CIRCULATED A LETTER RECOMMENDING THE PRESIDENT'S REMOVAL, AND FAHMI BASYA, WHO ALLEGEDLY PLANNED TO BURN ENTERTAINMENT FACILITIES AND ASSASSINATE THE PRESIDENT, WILL SHORTLY BE BROUGHT TO TRIAL.

E. SEVERAL NEWSPAPERS PUBLISHED PRIOR TO JANUARY 1974 HAVE HAD THEIR LICENSES REVOKED. PRESS IS AMONG FREEST IN ASIA BUT JOURNALISTS WHO HAVE IN PAST OFFENDED REGIME ARE STILL UNABLE TO PUBLISH.

6. IN CONSIDERING COURSES OF ACTION, WE SEE AS OUR OBJECTIVES:

A. THE RELEASE OR EXPEDITIOUS TRIAL OF ALL DETAINEES.

B. EVOLUTION OF INDONESIAN LAW AND JUDICIAL PRACTICES TO INCLUDE MORE SAFEGUARDS FOR INDIVIDUAL RIGHTS.

C. THE ADMISSION OF REPRESENTATIVES OF INTERNATIONAL ORGANIZATIONS CONCERNED WITH HUMAN RIGHTS TO DETENTION CENTERS AND TO AREAS WHERE VIOLATIONS OF HUMAN RIGHTS MAY BE SUSPECTED.

D. PUBLICATION OF THE REPORTS OF SUCH VISITS.
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E. DEMONSTRATING THROUGH ALL ACTIONS OF THE EMBASSY AN INTEREST IN THE PURSUIT OF HUMAN RIGHTS THROUGH (1) AVOIDING IDENTIFICATION WITH AUTHORITARIAN MEASURES, (2) DEMONSTRATED CONTACT WITH OPPOSITION ELEMENTS AND (3) STATEMENTS ON APPROPRIATE OCCASIONS OF GENERAL US PRINCIPLES.

F. ACQUAINTING THE INDONESIAN LEADERS WITH US CONCERN OVER CORRUPTION AND DISCOURAGING CORRUPT PRACTICES ON THE PART OF US FIRMS AND INDIVIDUALS.

G. ENCOURAGING AND ASSISTING THE GOI TO MEET MORE OF THE HUMAN NEEDS OF ITS RURAL AND URBAN POOR.

7. THE MISSION BELIEVES THE FOLLOWING COURSE OF ACTION

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C O N F I D E N T I A L SECTION 2 OF 2 JAKARTA 7995

WILLPROVE MOST EFFECTIVE IN THE INDONESIAN ENVIRONMENT:

A. FREQUENT DISCUSSIONS BY THE AMBASSADOR WITH KEY HUMAN RIGHTS POLICY MAKERS; CONTACTS BY OTHERS IN THE EMBASSY WITH THE CENTRE FOR STRATEGIC AND INTERNATIONAL STUDIES, THE LEGAL AID SOCIETY, AND THE YOUNG LAWYERS ASSOCIATION; AND SELECTIVE QUESTIONS AND REMINDERS BY HIGH-LEVEL US VISITORS WITH PRESIDENT SUHARTO.

B. VISITS BY EMBASSY OFFICERS (OTHER THAN THE AMBASSADOR) TO DETENTION CENTERS SUCH AS BURU WHEN OPPORTUNITIES ARISE.

C. IMPLEMENTATION OF AID PROJECTS DESIGNED TO ENCOURAGE GOI TO MEET BASIC HUMAN NEEDS OF THE POPULATION; SPECIFICALLY THROUGH PROGRAMS EMPHASIZING:

1. FAMILY PLANNING

2. INCREASED FOOD PRODUCTION

3. IMPORVED LOCAL HEALTH FACILITIES

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4. FORMAL AND NON-FORMAL EDUCATION IN RURAL AREAS

5. URBAN IMPROVEMENT PROGRAMS

6. PLANNING AND IMPLEMENTING PROVINCIAL RURAL DEVELOPMENT PROGRAMS (IN COOPERATION WITH DEPARTMENT OF HOME AFFAIRS)

D. IMPLEMENTATION OF US GOVERNMENT FUNDED PROJECTS AIMED DIRECTLY AT IMPROVING UNDERSTANDING OF HUMAN RIGHTS AND RULE OF LAW THROUGH:

1. PROVIDING HUMAN RIGHTS LIBRARY COLLECTION TO THE UNIVERSITY OF INDONESIA (AID)

2. CONSULTANT SERVICES TO THE FACULTY AT THE UNIVERSITY

OF INDONESIA ON LEGAL ASSISTANCE TO THE POOR (AID)

3. PARTICIPATION BY A LAW FACULTY OR COURT SYSTEM
MEMBER IN THE MULTI-REGIONAL PROJECT ON CURRENT ISSUES IN
THE ADMINISTRATION OF JUSTICE (USIS)

4. A US FULBRIGHT LECTURER AT THE UNIVERSITY OF
INDONESIA TO TEACH AND ASSIST IN THE DEVELOPMENT OF A
DOCUMENTARY COLLECTION ON HUMAN RIGHTS (USIS)

5. STUDY GRANTS FOR LAW FACULTY LECTURERS TO DO
POST-GRADUATE WORK AT US UNIVERSITIES (USIS)

(6) AMERICAN SPEAKERS AND SPECIALISTS ON THE ROLE AND
IMPLICATIONS OF HUMAN RIGHTS IN US FOREIGN POLICY (USIS)

(7) BUILDING A FILM PACKAGE ON HUMAN RIGHTS FOR USE
AT THE FACULTIES OF LAW IN MAJOR INDONESIAN UNIVERSITIES
(USIS)

8. COMMENT: INDONESIA'S HUMAN RIGHTS PERFORMANCE HAS BEEN
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DESCRIBED IN SOME DEPARTMENTAL MESSAGES AS "BAD". WE
BELIEVE OVERALL PICTURE DOES NOT JUSTIFY THIS JUDGEMENT
OR CONCLUSION THAT THERE IS CONTINUING GROSS VIOLATION OF
HUMAN RIGHTS. BECAUSE OF DETAINEE SITUATION, NOTICE OF
ANY OTHER INFRACTION OR ALLEGATIONS OF INFRACTIONS TEND
TO THROW TOTAL PICTURE OUT OF FOCUS. ANY OFFICIAL JUDGE-
MENT THAT INDONESIA IS BROAD VIOLATOR COULD SET BACK EFFORTS
WE FEEL HAVE BEEN EFFECTIVE IN CONVEYING US CONCERNS AND
IN INFLUENCING LOCAL SITUATION. GIVEN MIXED PICTURE AND
GENERAL INDONESIAN RESPONSIVENESS, WE BELIEVE RELATIVELY
POSITIVE ASSESSMENT OF INDONESIAN POSTURE IS JUSTIFIED.
WE DO THIS RECOGNIZING THAT SERIOUS PROBLEMS REMAIN - BUT
OF A VERY PARTICULAR KIND. THESE SHOULD NOT OBSCURE FACT
THAT PROGRESS IS BEING MADE.
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